

DECLARATION OF JOHNATHAN SMITH

I, Johnathan Smith, am over 18 years of age and am competent to testify. I declare as follows:

1. I am a resident of Baltimore City, Maryland.

2. In December 2019 I got a job as a warehouse supervisor at State Street Poultry and Provisions LLC (State Street) in Baltimore. In May 2020 I quit and got a different job at a warehouse run by a company called SpartanNash, where I worked for several weeks. I returned to State Street in July 2020 to work as the day shift warehouse manager.

3. On January 4, 2021, State Street fired me after I expressed concerns about State Street's sudden decision to assign me to the night shift.

4. I looked for a new job for about two months but was unable to find one, so I applied for unemployment insurance (UI) benefits through BEACON on March 1, 2021.

5. I also completed a fact-finding questionnaire on the circumstances of my termination.

6. On March 2, 2021, the Maryland Department of Labor (MDL) issued a statement of wages and monetary eligibility finding me eligible for \$430 per week in Regular UI.

7. I filed my weekly certifications every week, but MDL neither paid my benefits nor issued a determination finding me ineligible.

8. In mid-May 2021 I got a new job and stopped doing weekly certifications.

9. In mid-August 2021, I received a phone call from an adjudicator. I was working at the time so the call went to voicemail, but I called back and we scheduled a call for August two day later. During the rescheduled call, the adjudicator asked about the circumstances of my

termination. I repeated what I had written in my fact-finding questionnaire, which was that State Street terminated me for asking why my employer wanted to assign me to the night shift.

10. On September 2, 2021, MDL issued a benefit determination finding that “the circumstances surrounding the separation do not warrant a disqualification” from receiving benefits and “benefits are allowed, if otherwise eligible.” But I have still received no UI benefits at all for the 12 weeks I filed certifications for.

11. Although I entered “email” as my communication preference and provided my email address in my UI application, I have never received an email from MDL containing or alerting me to the official correspondence contained in BEACON.

12. MDL’s delay in paying my benefits created a financial emergency for me and my family. My fiancée and I have burned through both our savings accounts to pay for our family’s basic necessities: the mortgage for the house we live in with our four-year-old son, daycare for our son, food, water, electricity and gas, and our car payments, among other things. Without the UI payments MDL should have paid me, I have been taking from a bucket that is not getting replenished. My fiancée and I spent years building up our savings in case of a true emergency, but losing my job would not have been an emergency for our family if MDL had paid my benefits like it was supposed to. Our savings is gone now, and I do not know what we would do if we have a sudden unexpected expense, like car repairs – right now, we would not be able to cover an emergency expense of even a few hundred dollars. And if I do not have a car, I will not be able to get to a job.

13. The delay has also caused me a great deal of stress. I am used to being able to provide for my family, and I went from that to having to stretch every dollar as far as I can. I used to take my son to the Family Dollar store to get a toy for him when he got a good report

from his daycare; I cannot do that anymore, which is deeply painful for me. The delay has also hurt the relationship between me and my fiancée, because of the financial stress we are under.

I declare under penalty of perjury that the foregoing is true and correct.

DocuSigned by:



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Johnathan Smith

11/22/2021

Date